



BROWNFIELDS 101

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US EPA Brownfields Program

- **Brownfields Definition**
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 - Funding
 - Grants & Technical Assistance
 - State Response Programs
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 - USACE and EPA
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Brownfields Definition



Real property, where the expansion, redevelopment, or reuse may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant

Background

- U.S. Conference of Mayors “Recycling America’s Land” Report

Superfund Law of 1980

- Designed to clean up “worst sites”



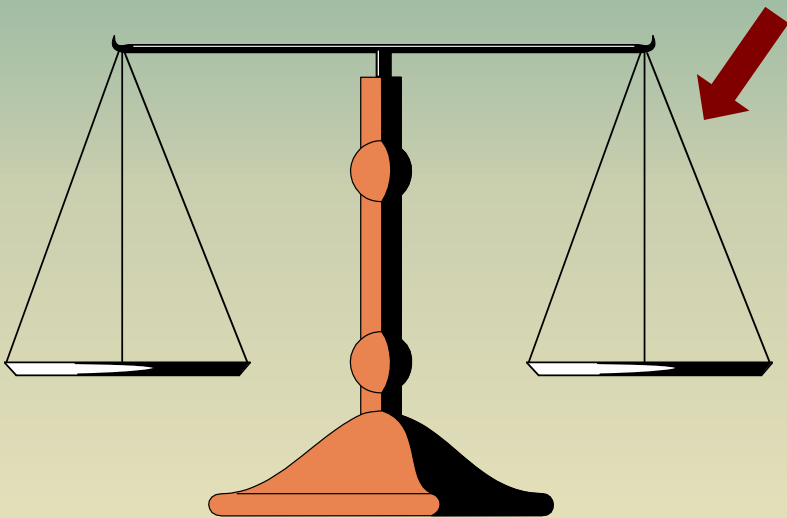
- Owners liable for cleanup even if purchased after contamination occurs

Uncertainty – Site Conditions

- Is property contaminated?
- If so, how much will cleanup cost?

Background

- Efforts to put Brownfields back into productive reuse and revitalize impacted neighborhoods are often slowed or stopped because developers and others are concerned about taking on:



Liability



High cost of cleanup

Background

- **Inactivity at Brownfields has led to:**

- ✓ Blight in our communities
- ✓ Movement of economic and human capital out of inner cities and former industrial areas
- ✓ Development of agricultural, open spaces

- **In addition:**

- ✓ Abandoned, under-utilized properties in the inner cities have left municipalities with:

**Diminished
Tax Base**

**Devalued Neighboring
Properties**

**Potential Health &
Environmental Hazards**

450,000 – 600,000 Brownfields nationwide



Background

● Cleanup and Redevelopment Can:

- Reduce environmental & health risks
- Utilize existing infrastructure
- Expand tax base for local governments



- Serve as a catalyst to attract new businesses & jobs back to inner cities & former industrial areas
- Reduce pressure to develop green space

Background

Since 1993, EPA has provided \$250M in Brownfields funding to states, tribes, and local governments for pilot projects and programs nationwide.

Since 1993, EPA Region 9's \$25M in Brownfields grants have leveraged \$754M in cleanup, construction, and redevelopment dollars.



Old sites are bringing new opportunities to communities. By cleaning up and redeveloping Brownfields, communities are...



...creating new and valuable community assets that are helping to...



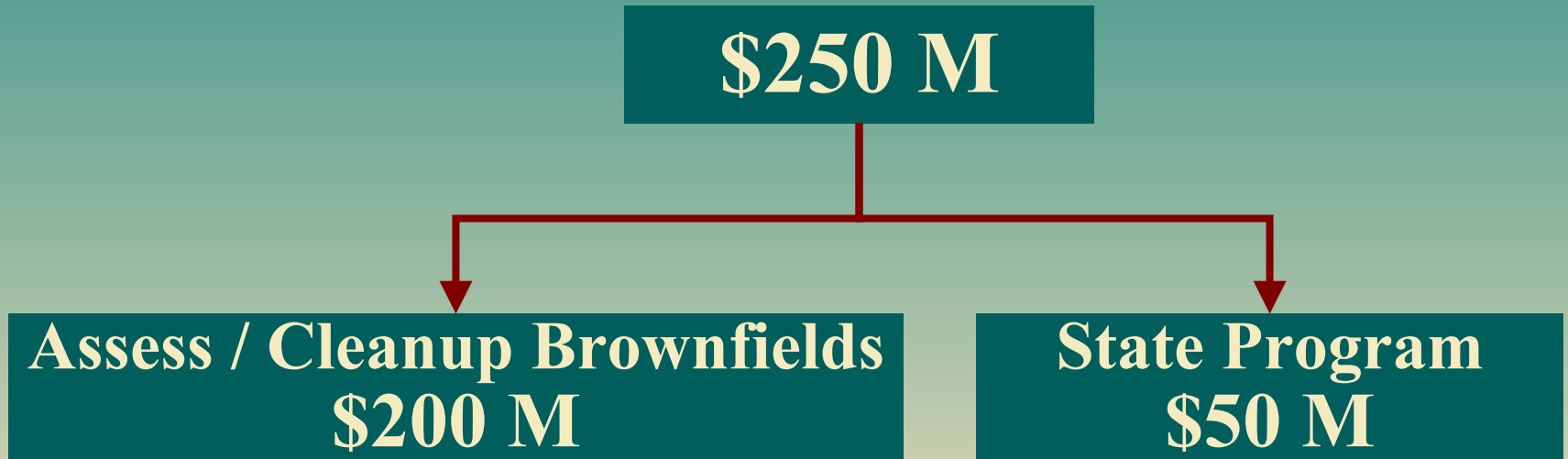
...speed economic revitalization efforts and bring a sense of optimism to affected community members about their future.



New Legislation

- **Small Business Liability Relief and Brownfields Revitalization Act (P.L. 107-118)**
- **Enacted 11 January 2002**
- **Expanded scope and funding of Brownfields program**
- **Broadened definition of a Brownfields site**
- **Clarified site ownership liability**
- **Established State Response Programs**

New Legislation - Funding



Funding – FY 03

\$168 M

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graph TD; A["$168 M"] --> B["Assess / Cleanup Brownfields<br/>$118 M"]; A --> C["State Program<br/>$50 M"]
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Assess / Cleanup Brownfields
\$118 M

State Program
\$50 M

Grants & Technical Assistance

Assessment Grants

\$200,000

Brownfields Cleanup RLF
\$1 Million

Cleanup Grants
\$200,000

Brownfields

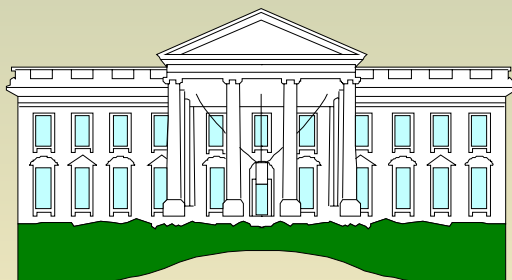
**Targeted Brownfields
Assessments**
No Cost

Job Training Grants
\$200,000

Grants & Technical Assistance

● Eligible Entities

- States
- Tribes
- Local governments and Redevelopment Agencies
- Land clearance authorities
- Regional councils of government



● Eligible Sites

- Hazardous substances
- Contaminants
- Pollutants
- Petroleum products
- Illegal drug labs
- Mine-scarred lands



Grants & Technical Assistance

● Ineligible Sites

- ✓ Facilities listed (or proposed for listing) on the National Priorities List (NPL);
- ✓ Facilities subject to UAOs, court orders, AOs on consent, or judicial consent decrees issued or entered into by parties under CERCLA; and
- ✓ Facilities that are subject to the jurisdiction, custody or control of a department or agency of the United States government (except land held in trust for an Indian Tribe)

Grants & Technical Assistance

- **Sites not eligible for funding without property-specific determination***
 - ✓ Facilities subject to planned or ongoing removal actions under CERCLA;
 - ✓ Facilities subject to Federal actions or judicial decrees under RCRA, OPA, TSCA or SDWA;
 - ✓ Facilities subject to TSCA PCB cleanup through EPA enforcement action;
 - ✓ Facilities receiving assessment / cleanup monies from the LUST trust fund;
 - ✓ Land disposal units that have filed a closure notification under Subtitle C of RCRA

* Applicant must show that Brownfields funding will

- ensure protection of human health and the environment
- promote economic development or the creation, preservation or addition to parks, greenways, undeveloped property, other recreational property, or other property used for non-profit purposes

State Response Programs



- Establish or enhance State response and/or voluntary cleanup program
- Capitalize cleanup revolving loan fund for Brownfields remediation
- Purchase environmental insurance
- Community / Stakeholder outreach activities
- Support general Brownfields activities

Federal Partnerships

● USACE

- Urban Rivers MOU
- Interagency Agreements

● NOAA

- “Portfields” MOU

● HUD

- BEDI Grants
- Empowerment Zones
- Enterprise Communities
- Renewal Communities

● EDA

- BF Program Coordination MOU



USACE

● Urban Rivers Restoration Initiative

- Eight pilot projects scheduled
- Four pilots have been selected

● Interagency Agreements

- Technical Assistance for Targeted Brownfields Assessments
- FTE for USACE personnel detailed to EPA

USACE

● Future Opportunities

- Work across Districts and Divisions
- Work with sponsors
- Leverage funds with Federal partners
- Green space
- Past pilot successes (EPA factsheets on web)



Resources

 **Brownfields Homepage**
www.epa.gov/brownfields

 **EPA Region 9**
www.epa.gov/region9